IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRI.REVISION APPLICATION NO. 375 OF 2002

Shri Balkrishna Laxman Dhumal & Ors. ..Applicants.

V/s.

Shri Bajrang Shamrao Jadhav & Ors. ..Respondents.

Shri U.B. Nighot for the Applicants.
Shri D.R. More, APP for the Respondent No.4- State.

CORAM : A.M.KHANWILKAR, J.
DATED : MARCH 01, 2005

PC :-

. Heard counsel for the applicants and learned APP.

2. As the view taken by the court below is a possible view, not a case for exercising revisional jurisdiction.

3. Learned counsel for the applicants, however, vehemently argued that dying declaration could not have been discarded, as has been done by the lower court. This argument clearly overlooks the cogent reasons recorded by the lower court, amongst other, in paragraph 37 and paragraph 40 of the judgment. That

reason is a possible view and if that cannot be disturbed, more so in exercise of revisional jurisdiction, the conclusion reached by the court below even on the other matters, would necessarily follow. Hence, not a case for interference. Dismissed.

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